

## AMENDMENTS TO THE CLAIMS

Claims 1-5 (Canceled)

Claim 6 (Currently amended) A method for the treatment or prevention of pathological or pre-pathological conditions derived from phytate deficient states, comprising administering to an individual in need thereof a food product prepared from [the] germ flour of fruits the germs of which naturally contain phytate, said germ flour selected from the group consisting of germ flours of cereal[s] germs, carob germs, and mixtures thereof.

Claim 7 (Currently Amended) A method according to claim 6, wherein the cereal germ is selected from the group consisting of wheat germs, rye germs, corn germ, and mixtures thereof.

Claim 8 (Currently Amended) A method according to claim 6, wherein the [fruit] germ is carob germ.

Claim 9 (Previously Added) A method according to claim 6, wherein the flour is used in a daily proportion of 30 to 60g.

Claim 10 (Previously Added) A method according to claim 6, wherein the pathological condition is kidney stones.

Claim 11 (New) A method according to claim 6, wherein the germs have been mechanically separated from the fruit.

Claim 12 (New) A method for the treatment or prevention of pathological or pre-pathological conditions derived from phytate deficient states, comprising administering to an individual in need thereof a food product prepared from [the] germ flour of fruits the germs of which naturally contain phytate, said germ flour selected from the group consisting of germ flours of cereal[s] germs, carob germs and mixtures thereof and wherein the germs have been mechanically separated from the fruit.

Claim 13 (New) A method according to claim 6, wherein the cereal germ is selected from the group consisting of wheat germs, corn germs, and mixtures thereof.

Claim 14 (New) A method according to claim 6, wherein the germ is carob germ.

Claim 15 (New) A method according to claim 6, wherein the flour used is in a daily proportion of 30 to 60g.

Claim 16 (New) A method according to claim 6, wherein the pathological condition is kidney stones.

Response to Restriction Requirement

In Response to the Requirement of Election of Species, Applicants have decided to elect the species, "flour with cereal grain" with traverse. Applicants traverse the restriction requirement on the basis that the most common technical feature in canceled claim 1 is made from the flour **of the germs** of said fruits and not the whole of the fruits. Further support for traversal follows.

Amendments to Claims

Applicants have amended claims 6,7,and 8 to further wish to add new claims 11-16. The foregoing claim amendments are consonant with Applicants' choice of elected species and provide support for the traversal. Applicants have amended the claims to include language referring to the presence of phytates in the germs, language which had been present in canceled claim 1. Such language clearly distinguishes the common technical feature inherent in the germs of the fruits from which the food is prepared.

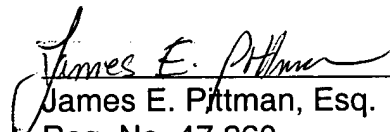
**FEES**

The fee for a five month extension of time . No other fees are believed to be due, but should any further fees be necessitated hereby, authorization is hereby given to charge Deposit Account no. 11-1153 for any underpayment or to credit any overages.

**CONCLUSION**

Entry of the foregoing amendments and remarks into the record of the above identified application is respectfully requested. Withdrawal of all rejections and objections and reconsideration of the amended claims is requested. An early allowance is earnestly sought.

Respectfully submitted,

  
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